



Docket No.: 50427-760

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Junichi KAMIMURA, et al.	:	Confirmation Number: 6915
	:	
Serial No.: 10/649,648	:	Group Art Unit: 3721
	:	Allowed: March 09, 2004
Filed: August 28, 2003	:	Examiner: Chukwurah
	:	
For: ELECTRIC POWER TOOL	:	

REQUEST FOR ACKNOWLEDGEMENT OF THE CITED ART

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are in receipt of the Notice of Allowance dated March 09, 2004.

In reviewing the file, it is noted that we have not received acknowledgement of the Information Disclosure Statement and cited art filed May 6, 2004. Enclosed are copies of the Information Disclosure Statement, PTO-1449 and stamped return postcard acknowledgement.

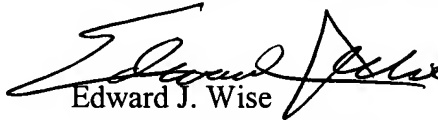
The Information Disclosure Statement filed May 6, 2004 authorized the Patent and Trademark Office to charge our Deposit Account the processing fee under 1.17(p) of \$180.00 and Applicants certified that they had known of the prior art less than 3 months. It is noted the second paragraph (which has been highlighted), of the Information Disclosure Statement filed May 6, 2004 incorrectly stated that "This Information Disclosure Statement is being filed within three months of the U.S. Filing date OR before

the mailing of a first Office Action on the merits. No certification or fee is required.” However, the second paragraph should have properly indicated that “This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee.” Accordingly, Applicants respectfully request that:

- (1) the appropriately acknowledged PTO-1449 be furnished to Applicants;
and
- (2) the record be clarified to confirm that the cited art has been considered and made of record.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP


Edward J. Wise
Registration No. 34,523

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Date: June 8, 2004

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JUN 08 2004

Applicant: Junichi KAMIMURA, et al.

Docket No. 50427-760

Title: ELECTRIC POWER TOOL

Serial/Reg./Patent No. 10/649,648

Date Sent: 5/6/2004 ☒ Hand Carried ☐ Fax ☐ Electronic ☐ Cert. of Mailing ☐ Express Mail No. _____

☐ Transmittal Letter

New Patent App ☐ Utility ☐ Design ☐ Cont. ☐ CIP ☐ Div. ☐ PCT ☐ RCE ☐ Prov

☐ Other: _____

_____ pages of Specification

_____ pages of Claims

_____ pages of Abstract

_____ pages of Formal/Informal Drawings

☐ Small Entity ☐ Large Entity

☐ Declaration/Power of Attorney

☐ Recordation of Assignment/Security Agreement

☒ Information Disclosure Statement

1 Form PTO 1449

3 copies of cited references

☐ Preliminary Amendment

☐ Response to Missing Parts Notice

☐ Resp. to Notice to Correct App. Papers

☐ Certified Copy of Priority Doc.

☐ Claim for Convention Priority

☐ Response/Amendment to Office Action of _____

☐ Request for _____ month Extension of Time

☐ Letter submitting _____ pages of drawings

☐ Req. for Approval of Drawing Amendments

☐ Req. for Oral Hearing

☐ Not. of Appeal ☐ Appeal Brief ☐ Reply Brief

☐ Rule 312 Amendment/Letter

☐ Req. for Acknowledgement of Cited Art

☐ Issue Fee

☐ Publication Fee

☐ Req. for Certificate of Correction

☐ Maintenance Fee for _____ years after grant

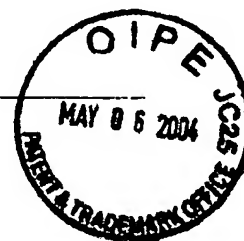
☐ Fee Address Indication Form

☐ Terminal Disclaimer

☐ Petition to Commissioner

☐ Status Inquiry

☒ Other German Official Letter



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CMS Descr.: 10-180

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

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Docket No.: 50427-760

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Junichi KAMIMURA, et al.

Serial No.: 10/649,648

Filed: August 28, 2003

For: ELECTRIC POWER TOOL

: Customer Number: 20277

: Confirmation Number: 6915

: Group Art Unit: 3721

: Examiner: Chukwurah

INFORMATION DISCLOSURE STATEMENT

Mail Stop Information Disclosure
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

**REQUEST TO CONSIDER REFERENCES AFTER CLOSE OF PROSECUTION AND
BEFORE PAYMENT OF ISSUE FEE**

The undersigned hereby requests consideration and entry of this Information Disclosure Statement and accompanying references under 37 CFR 1.97(d).

Please charge the processing fee under 1.17(p) of \$180.00 to Deposit Account 500417.

CERTIFICATION PARAGRAPH

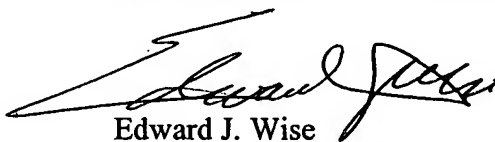
The undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement as described in 37 CFR 1.97(e)(1).

Each non-English language reference was cited in a corresponding foreign application search report or office action and its relevance discussed therein. A copy of the foreign search report or office action, together with an English language version thereof, is attached for the Examiner's information.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



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Date: May 6, 2004

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

ATTY. DOCKET NO.
50427-760

SERIAL NO.
10/649,648

APPLICANT
Junichi KAMIMURA, et al.

FILING DATE
August 28, 2003

GROUP
3721

(PTO-1449)

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US 1,397,530	11/22/1921	Lübeck	
		US			
		US			
		US			
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FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes - Number 4 - Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation	
						Yes	No
		DE 956 367	01/17/1957	Schroder et al.			
		EP 0 987 471 A2	03/22/2000	BORG-WARNER AUTOMOTIVE, INC.			

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.